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Tempe City Council  
October 20, 2005

Harry E. Mitchell Government Center  
Tempe City Hall - City Council Chambers  
31 East Fifth Street  
7:30 p.m.

1. INVOCATION - Councilmember Arredondo
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Carter
  - A. Approval of Council Meeting Minutes
    1. Formal Council Meeting – September 15 & 29, 2005 [20051020clrkck01.pdf](#)  
[20051020clrkck02.pdf](#)
    2. Council's Community Services Committee – September 21, 2005 [20051020csc01.pdf](#)
    3. Council's Education Partnerships Committee – September 19, 2005  
[20051020epc01.pdf](#)
    4. Council's Neighborhood Quality of Life & Public Safety Committee –  
September 13, 2005 [20051020nqlps01.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    5. Apache Boulevard Project Area Committee – September 12, 2005  
[20051020apac01.pdf](#)
    6. Aviation Commission – September 13, 2005 [20051020tavco01.pdf](#)
    7. Commission on Disability Concerns – August 16, 2005 [20051020cdc01.pdf](#)
    8. Community Special Events Task Force – October 11, 2005 [20051020setf01.pdf](#)
    9. Hearing Officer – September 20, 2005 [20051020ho01.pdf](#)
    10. Library Advisory Board – May 2 & September 12, 2005 [20051020lab02.pdf](#)  
[20051020lab01.pdf](#)
    11. Mayor's Youth Advisory Commission – September 20, 2005 [20051020myac01.pdf](#)
    12. Merit System Board – August 22, 2005 [20051006msb01.pdf](#)
    13. Police Public Safety Personnel Retirement Board – August 4, 2005
4. REPORTS AND ANNOUNCEMENTS
  - A. Mayor's Announcements
    - Board and Commission Vacancies

B. Manager's Announcements

5. **AGENDA**

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (\*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

A. Miscellaneous Items

14. Request approval of an Amended Subdivision Plat by RIVERSIDE OFFICE PLAZA at 1061 W. Rio Salado Parkway.

**COMMENTS:** (Hunter Engineering. Applicant and LGE Corporation, Inc.. Owner) (CC050077) #SBD-2005.96 for a Subdivision Plat, consisting of five (5) lots on 4.863 net acres.

**DOCUMENT NAME:** [20051020dsdk04.pdf](#) PLANNED DEVELOPMENT (0406)

15. Request approval of an Amended Final Subdivision Plat by BROWNSTONE AT HYDE PARK at 589 South Roosevelt Street.

**COMMENTS:** (Namwest-Brownstone LLC, property owner) (CC050029) #SBD-2005.51 for an Amended Final Subdivision Plat consisting of 65 lots and 5 tracts on 3.24 net acres.

**DOCUMENT NAME:** [20051020dsrl02.pdf](#) PLANNED DEVELOPMENT (0406)

- \*16. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for El Penasco, LLC, dba El Penasco Mexican Kitchen, 19 E. Broadway Road.

**COMMENTS:** Angel Mendez, Agent

**DOCUMENT NAME:** [20051020LIQ1.pdf](#) LIQ LIC (0210-02)

- \*17. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Sushi Eye, 780 W. Elliot Road, #104.

**COMMENTS:** Pu Y. Cho, Agent

**DOCUMENT NAME:** [20051020LIQ2.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

18. Request to award a six-month, limited source contract to Childress Consulting Services for Development Services consultant support.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$80,000 during the contract period.

**DOCUMENT NAME:** [20051020fslg01.pdf](#) PURCHASES (1004-01) #06-077

19. Request to award of a Construction Job Order contract, plus a \$29,752 contingency, to 3D/International for the construction of the Tempe Fire Center Storage Building.

**COMMENTS:** Subject to execution of the final written contract in an amount not to exceed \$297,517.

**DOCUMENT NAME:** [20051020PWMG01.pdf](#) FIRE/ PARAMEDIC SERVICE ADMIN (0605-01) PROJECT NO. 5601861

20. Request to award a Job Order to 3D/International for the South Tempe Water Treatment Plant – 2005 Modifications.

**COMMENTS:** Subject to execution of the final written contract in an amount not to exceed \$384,615.

**DOCUMENT NAME:** [20051020PWMG03.pdf](#) SOUTH TEMPE WATER TREATMENT PLANT (0811-08) PROJECT NO. 3200071

21. Request to award a one-year contract with two (2) one-year renewal options to U.S. Standard Sign Co. for traffic sign blanks.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$40,000 during the initial contract period.

**DOCUMENT NAME:** [20051020fslg02.pdf](#) PURCHASES (1004-01) IFB #06-028

22. Request to award a one-year contract with two (2) one-year renewal options to Lacor Streetscape for mini transit shelters.

**COMMENTS:** Subject to execution of final written contract. Total cost for this contract shall not exceed \$250,000 during the initial contract period.

**DOCUMENT NAME:** [20051020fslg04.pdf](#) PURCHASES (1004-01) RFP #06-033

23. Request to award a one-year contract with two (2) one-year renewal options to PSI Group, Inc. - Arizona for pre-sort mailing services.

**COMMENTS:** Subject to execution of final written contract. Total cost for this contract shall not exceed \$52,634 during the initial contract period.

**DOCUMENT NAME:** [20051020fst06.pdf](#) PURCHASES (1004-01) RFP #06-049

24. Request to award a one-year contract with two (2) one-year renewal options to Batteries Plus for office and field equipment.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$30,000 during the initial contract period.

**DOCUMENT NAME:** [20051020fst08.pdf](#) **PURCHASES (1004-01)** IFB #06-055

25. Request approval of a \$46,547 increase to the contract amount with Oracle Corporation for software maintenance support and the purchase of additional licenses.

**COMMENTS:** Increase from \$203,453 to \$250,000.

**DOCUMENT NAME:** [20051020fsdl09.pdf](#) **PURCHASES (1004-01)** T05-149-01

26. Request approval of a one-year contract renewal with Webb Distributors for cooler repair parts.

**COMMENTS:** Total amount of contract shall not exceed \$40,000.

**DOCUMENT NAME:** [20051020fslg03.pdf](#) **PURCHASES (1004-01)** T04-044-01

27. Request approval of a six-month contract renewal with Calence, Inc., for internet firewall filtering hardware and licenses.

**COMMENTS:** Total amount of contract not to exceed \$75,000.

**DOCUMENT NAME:** [20051020fsdl07.pdf](#) **PURCHASES (1004-01)**  
#AD000187-003-A7

28. Request approval of one-year contract renewals with *The Arizona Republic* and *The East Valley Tribune* for legal, employment, and display advertising.

**COMMENTS:** Total amount not to exceed \$200,000.

**DOCUMENT NAME:** [20051020fsdl10.pdf](#) **PURCHASES (1004-01)** #T04-020-01 and -02

29. Request approval to utilize an 18-month State of Arizona contract with ASAP Software Express, Inc., for computer and server-based software.

**COMMENTS:** Total cost of this contract shall not exceed \$475,000 during the initial contract period.

**DOCUMENT NAME:** [20051020fst05.pdf](#) **PURCHASES (1004-01)** #AD050028-A3-1

- C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- \*30. This is the **introduction and first public hearing** for an ordinance authorizing a land exchange between the City of Tempe and the United States Bureau of Reclamation for a Salt River Project (SRP) Irrigation Pipeline Relocation in Elliot Road. **The second public hearing is set for November 3, 2005.**

**DOCUMENT NAME:** [20051020cacc01.pdf](#) **REAL PROPERTY EXCHANGES (0902-21-05) ORDINANCE NO. 2005.77**

- \*31. This is the **introduction and first public hearing** for an ordinance granting a license agreement to Kiewit Western Company for lease of City-owned property in the vicinity of Rio Salado Parkway and Priest Drive for construction staging purposes. **The second public hearing is set for November 3, 2005.**

**COMMENTS:** The initial license is for a 4-month term, beginning November 8, 2005. Kiewit Western Company is rehabilitating the Val Vista Water Main for the City of Phoenix.

**DOCUMENT NAME:** [20051020PWMG06.pdf](#) **REAL PROPERTY MGMT (0900) ORDINANCE NO. 2005.58**

- \*32. This is the **introduction and first public hearing** for a Zoning Map Amendment for INTERNATIONAL ACADEMY at 4812 South Mill Avenue. **The second public hearing is set for November 3, 2005.**

**COMMENTS:** (Globe Corporation, Ray Carter, property owner) for a zoning map amendment, including the following:

**Ordinance No. 2005.72 #ZON-2005.19** (CC050075) for a zoning map amendment from LID, Light Industrial District to GID, General Industrial District, on 1.16 acres.

**DOCUMENT NAME:** [20051020dsd2k07.pdf](#) **PLANNED DEVELOPMENT (0406)**

D. Ordinances and Items for Second Hearing/Final Adoption

- \*33. This is the **second public hearing** for a Zoning Map Amendment for ARIZONA STATE UNIVERSITY for 130 parcels of land.

**COMMENTS:** (Arizona Board of Regents, property owner) Change the zoning on 130 parcels of land comprised of approximately 102 acres located on the first 150 feet from the right-of-way of properties owned by the Arizona Board of Regents located along Mill Avenue, University Drive, Apache Boulevard and Rural Road and full parcels of property located on the southeast corner of Mill Avenue and University Drive, and between the College Avenue Alignment and Rural Road on the north side of Rio Salado Parkway, including the following:

**Ordinance No. 2005.07 #ZON-2005.04** the proposed amendment includes the following changes to the Zoning Map:

<u>Acres:</u>	<u>From:</u>	<u>To:</u>
23.00 acres	Single Family Residential R1-6	Mixed-Use Educational MU-ED
01.50 acres	Multi-Family Residential R-4	Mixed-Use Educational MU-ED
01.60 acres	Light Industrial I-1	Mixed-Use Educational MU-ED
36.60 acres	General Industrial I-2	Mixed-Use Educational MU-ED
22.70 acres	Central Commercial District CCD	Mixed-Use Educational MU-ED
02.40 acres	Multi-use General Commercial MG	Mixed-Use Educational MU-ED
06.10 acres	Commercial C-1	Mixed-Use Educational MU-ED

03.70 acres	Commercial C-2	Mixed-Use Educational MU-ED
04.20 acres	Residential Office RO	Mixed-Use Educational MU-ED
101.80	Total Acres	

**DOCUMENT NAME:** [20051020dsd2k06.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*34. This is the **second public hearing** for a General Plan Projected Land Use and Zoning Map Amendments for EMERALD CENTER, Lot 2, at 8475 S. Emerald Drive.

**COMMENTS:** (Tait Development, Inc, property owner) (CC050037) located at 8475 S. Emerald Drive, Lot 2 of Emerald Center including the following:

**GEP2005.02 Resolution 2005.36** for a General Plan 2030 Projected Land Use Map amendment from Industrial to Commercial land use designation for 23.7 net acres on Lot 2 of Emerald Center.

**ZON 2005.11 Ordinance 2005.51** for a Zoning Map amendment from General Industrial District (GID) to Regional Commercial Center (RCC) for 23.7 net acres on Lot 2 of Emerald Center.

**DOCUMENT NAME:** [20051020dsdk03.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*35. This is the **second public hearing** for an ordinance amending Chapter 29 of the Tempe City Code relating to Streets and Sidewalks (Administration and Enforcement).

**DOCUMENT NAME:** [20051020PWTG02.pdf](#) **TCC CH 29 – STREETS & SIDEWALKS (0503-29) ORDINANCE NO. 2005.75**

- \*36. This is the **second public hearing** for an Amended Planned Area Development Overlay by BROWNSTONE AT HYDE PARK at 589 South Roosevelt Street.

**COMMENTS:** (Namwest, LLC, property owner) (CC050070) **#SPD-2005.88** for a Second Amended Planned Area Development Overlay to add three (3) units, totaling 65 dwelling units in the R1-PAD (Single-Family Residential Planned Area Development) District on 3.29 net acres.

**DOCUMENT NAME:** [20051020dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*37. This is the **second public hearing** for an Amended Planned Area Development for PLAYA DEL NORTE, LOT 2, at 910 East Playa del Norte Drive.

**COMMENTS:** (Playa del Norte LLC., property owner) (RRC05032 / DS051092) **#SPD-2005.95** An Amended Planned Area Development, including site plan, landscape plan, and building elevations, consisting of 24,834 square feet of restaurant and office space on 1.6 net acres.

**DOCUMENT NAME:** [20051020dsd2k05.pdf](#) **PLANNED DEVELOPMENT (0406)**

E. Resolutions

- 38.** Request approval of a resolution authorizing the Mayor to execute a funding agreement between the City of Tempe and The Centers for Habilitation (TCH) for disbursement of Salt River Pima-Maricopa Indian Community's annual 12% monies from gaming proceeds.

**COMMENTS:** Amount to be redistributed to the TCH is **\$200,422** to be used for construction costs of a new Employee Development Center.

**DOCUMENT NAME:** [20051020graw01.pdf](#) STATE LEGISLATURE (0107-06)  
RESOLUTION NO. 2005.61

- 39.** Request approval of a resolution authorizing the Mayor to execute an Intergovernmental Agreement between the City of Tempe and Salt River Pima-Maricopa Indian Community ("Community") for disbursement of Salt River Pima-Maricopa Indian Community's annual 12% monies from gaming proceeds.

**COMMENTS:** Amount of the disbursement to the City is \$1,500,000 *over the course of four years, including \$250,000 from 2004, \$500,000 for 2005, \$500,000 for 2006, and \$250,000 for 2007* to be used for the archaeological exploration of the Hayden Butte and Flour Mill Sites.

**DOCUMENT NAME:** [20051020gram02.pdf](#) STATE LEGISLATURE (0107-06)  
RESOLUTION NO. 2005.60

40. Request approval of a resolution approving a non-recurring Community Service Officer position for one year.

**COMMENTS:** This CSO position would assist in the Property Room with the disposition of cases. Funded with Racketeer Influenced and Corrupt Organization Act (RICO) funds.

**DOCUMENT NAME:** [20051020pdkm01.pdf](#) POLICE DEPARTMENT  
ADMINISTRATION RESOLUTION NO. 2005.59

41. Request approval of a resolution amending City Code Appendix A - Fee Schedule, Chapter 19 (Motor Vehicles and Traffic).

**COMMENTS:** Relating to Special Permits fees for hauling construction fill and excavation material.

**DOCUMENT NAME:** [20051020PWTG04.pdf](#) MISCELLANEOUS FEES (0210-05)  
RESOLUTION NO. 2005.58

- 42.** Request approval of a resolution **repealing** City Code Appendix A—Fee Schedule, Chapter 29 (Streets and Sidewalks) and establishing a new fee schedule.

**COMMENTS:** Relating to the fees for engineering-related activities within City-owned property, the public rights-of-way, public utility easements, and on-site grading and drainage, and implementing an annual fee adjustment.

**DOCUMENT NAME:** [20051020PWTG05.pdf](#) MISCELLANEOUS FEES (0210-

05) RESOLUTION NO. 2005.45

43. Request approval of a resolution approving an amendment to the Emerald Center Development Agreement with Tait Development, Inc., Emerald Center, L.L.C., IKEA, Property, Inc., and DSS2, L.L.C. for EMERALD CENTER at Warner Road and Interstate 10.

DOCUMENT NAME: [20051020cdcm01.pdf](#) DEVELOPMENT PROJECT  
(0406) RESOLUTION NO. 2005.63

6. PUBLIC APPEARANCES

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

**SCHEDULED PUBLIC APPEARANCE:**

- ~~DELETED~~
- Richard Sales, Chandler, re: Early Voting Site at ASU
- Shon Zelman, Phoenix, re: Early Voting Site at ASU

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

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